

ACCOMPANYING LABELING: Insert designated "Certificate for Clinical Thermometer."

RESULTS OF INVESTIGATION: Examination revealed that 11 out of 20 rectal thermometers and 22 out of 28 oral thermometers taken from the above shipment failed to comply with the requirement for accuracy specified in Commercial Standard CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in such standard.

LIBELED: 5-23-56, E. Dist. Mich.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the following statements in the labeling of the article, when shipped, were false and misleading since they were contrary to fact, namely, (ctn.) "Certification This thermometer has been made according to the regulations, and compared with standard thermometers. Verified by The U. S. Bureau Of Standards" and (leaflet) "Certificate For Clinical Thermometers Identification Number * * * Date * * * This Thermometer bearing the above trade mark and serial number has been carefully tested and compared, on above date, with our standard thermometer (certified by the United States Bureau of Standards)."

DISPOSITION: 7-16-56. Default—destruction.

5185. Clinical thermometers. (F. D. C. No. 39421. S. No. 52-761 M.)

QUANTITY: 288 *clinical thermometers* at Brooklyn, N. Y.

SHIPPED: 6-28-56, from Fort Smith, Ark., by Fort Smith Surgical Supply Co.

LABEL IN PART: (On thermometer) "Hygrade Oral"; (box) "3 Dozen Hospital Pack Brand Clinical Thermometers Type: Oral."

RESULTS OF INVESTIGATION: Examination of 24 thermometers revealed that 4 thermometers failed to comply with the requirement for accuracy specified in Commercial Standard CS1-52, issued by the National Bureau of Standards of the Department of Commerce, when tested as described in such standard.

LIBELED: 10-31-56, E. Dist. N. Y.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported and was represented to possess; and 502 (a)—the following statements in the labeling of the article were false and misleading since they were contrary to fact, namely, (insert in each box) "This Certifies that the enclosed thermometers have been tested on the above date and are correct. This test is governed by a Standard Thermometer which has been tested and approved by the Bureau of Standards, Washington, D. C. All our thermometers are manufactured in accord with their specifications. (C. S. 1-52 Department of Commerce)."

DISPOSITION: 12-4-56. Default—destruction.

5186. Clinical thermometers. (F. D. C. No. 39032. S. No. 25-386 M.)

QUANTITY: 120 *clinical thermometers* at Seattle, Wash.

SHIPPED: 3-2-56, from Brooklyn, N. Y., by Cardinal Thermometer Co.

LABEL IN PART: (Ctn.) "Cardinal Fever Thermometer Kind—Oral."

ACCOMPANYING LABELING: (Leaflet in ctn.) "Certificate of Accuracy For Clinical Thermometer."

RESULTS OF INVESTIGATION: Examination of 24 thermometers revealed that 9 failed to comply with Commercial Standard CS1-52 since 8 failed to give

readings of required accuracy and one failed to comply with the test for retreating index.

LIBELED: On or about 4-13-56, W. Dist. Wash.

CHARGE: 501 (c)—the quality of the article, when shipped, fell below that which it purported or was represented to possess; and Section 502 (a)—the following statements appearing in the accompanying labeling of the article were false and misleading since they were contrary to fact, namely, “* * * We, the undersigned manufacturers, hereby certify that this registering clinical thermometer has been tested and found to meet all the requirements and tests specified in Commercial Standard CS1-52, as developed by the trade under the procedure of the Commodity Standards Division, and issued by the United States Department of Commerce * * *.”

DISPOSITION: 6-25-56. Default—destruction.

DRUGS ACTIONABLE BECAUSE OF FALSE AND MISLEADING CLAIMS

DRUGS FOR HUMAN USE*

5187. Alpha tablets and Mino tablets. (F. D. C. No. 38874. S. Nos. 38-824/5 M.)

QUANTITY: 475 100-tablet btls., 169 300-tablet btls., and 9 600-tablet btls. of *Alpha tablets*, and 147 100-tablet btls. and 18 250-tablet btls. of *Mino tablets*, at Homestead, Fla.

SHIPPED: 10-28-55, from Detroit, Mich., by Wolverine Laboratories, Inc.

LABEL IN PART: (Btl.) “Pain Relieving Alpha Tablets * * * Each Tablet Contains: Inert Ingredients: calcium gluconate and calcium lactate. Active Ingredient: aspirin. Base: Powdered extract of Alfalfa” and “Mino Tablets * * * Each Tablet Contains Thiamine HCl .50 mg., Riboflavin 1.00 mg., Niacin .30 mg., Pyridoxine HCl .01 mg., Calcium Pantothenate .20 mg., Vitamin D 1000 USP Units, Tryptophane 55 mg., Cystine .70 mg., Histidine 1.50 mg., Methionine 2.00 mg., Isoleucine 2.50 mg., Arginine 3.00 mg., Phenylalanine 3.00 mg., Tyrosine 3.00 mg., Threonine 3.00 mg., Valine 3.50 mg., Lysine 4.00 mg., Leucine 9.00 mg.”

ACCOMPANYING LABELING: Display discs entitled “Alpha Tablets For Arthritis” and “Sinus! Headaches! Pain! Drainage! * * * Mino Tablets”; display cards entitled “Alpha Tablets For Rheumatism On Sale Here!” and “Mino Tablets For Sinus Infections”; display sheets entitled “Alpha Tablets For Arthritis”; streamers entitled “Alpha Tablets For Rheumatism On Sale Here,” “Alpha Tablets For Arthritis,” “Sinus! Try New Mino Tablets,” and “Mino Tablets For Sinus On Sale Here”; insert sheets entitled “Alpha Tablets are Profit-Makers—For You! Because They Move”; newspaper mats entitled “A New Tablet For Arthritis containing Alfalfa * * * Alpha Tablets,” “Alfalfa For Arthritis,” and “Try New Mino Tablets for Sinus Sufferers”; leaflets entitled “Alpha Tablets For the Relief of Arthritis and Rheumatic Pain” and “Advertising Program Alpha Tablets For Arthritis Mino Tablets For Sinus.”

LIBELED: 12-27-55, S. Dist. Fla.

CHARGE: 502 (a)—the labeling of the articles, when shipped, contained false and misleading statements that the *Alpha tablets* were an adequate and effective treatment for arthritis, rheumatism, neuritis, and neuralgia, and that the *Mino tablets* were an adequate and effective treatment for sinus infections and headaches and for preventing colds.

*See also Nos. 5163, 5166-5169, 5171, 5172, 5174, 5175, 5181-5186.